

## **REMARKS/ARGUMENTS**

In the Office Action mailed October 28, 2008, claims 22 – 25 are allowed, claims 1, 14, 15, 19, and 20 are rejected, and claims 2 – 13, 16 – 18, and 21 are objected to, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicant has amended claims 1, 3, 4, 9, 10, 14, and 19, canceled claims 2, 8, 16, 17, and 21, and added new claims 26 – 28. Applicant hereby requests reconsideration of the application in view of the amendments and the below-provided remarks.

### **Allowable Subject Matter**

Claims 22 – 25 are deemed allowable. Additionally, claims 2 – 13, 16 – 18, and 21 are deemed to recite allowable subject matter. In particular, the Office action states that claims 2 – 13, 16 – 18, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended the claims as described below to include the allowable subject matter.

#### **Claim 1 (1 + 2)**

Claim 1 is amended to include all of the limitations of claim 2. Because amended claim 1 includes all of the limitations of claims 1 and 2, Applicant asserts that amended claim 1 is in allowable condition.

Claim 2 has been canceled and claims 3 and 4 have been amended to refer to claim 1 instead of claim 2. Claim 3 has been amended to remove the redundant term “structure.”

#### **Claim 14 (14 + 16)**

Claim 14 is amended to include all of the limitations of claim 16. Because amended claim 14 includes all of the limitations of claims 14 and 16, Applicant asserts that amended claim 14 is in allowable condition.

Claim 16 has been canceled.

Claim 19 (19 + 21)

Claim 19 is amended to include all of the limitations of claim 21. Because amended claim 19 includes all of the limitations of claims 19 and 21, Applicant asserts that amended claim 19 is in allowable condition.

Claim 21 has been canceled.

New Claim 26 (1 + 8)

New claim 26 includes all of the limitations of original claims 1 and 8. Because new claim 26 includes all of the limitations of original claims 1 and 8, Applicant asserts that new claim 26 is in allowable condition.

Claim 8 has been canceled and claims 9 and 10 have been amended to refer to new claim 26 instead of claim 8.

New Claim 27 (14 + 17)

New claim 27 includes all of the limitations of original claims 14 and 17. Because new claim 27 includes all of the limitations of original claims 14 and 17, Applicant asserts that new claim 27 is in allowable condition.

New Claim 28 (14 + 18)

New claim 28 includes all of the limitations of original claims 14 and 18. Because new claim 28 includes all of the limitations of original claims 14 and 18, Applicant asserts that new claim 28 is in allowable condition.

While the Office action provides a statement of reasons for the indication of allowable subject matter, the statement is directed to specific aspects of certain claims and not necessarily all of the claims. Applicant notes that the statement in the Office action may have paraphrased the language of the claims and it should be understood that the language of the claims themselves set out the scope of the invention. Thus, it is noted that the claim language should be viewed in light of the exact language of the claims rather than any paraphrasing or implied limitations thereof.

Claim Rejections under 35 U.S.C. 102 and 103

Claims 1, 14 and 19 were rejected under 35 U.S.C. 102(e) as being anticipated by Look et al. (U.S. Pat. Pub. No. 2001/0049881, hereinafter Look). Claims 1, 14, 15, 19 and 20 were rejected under 35 U.S.C. 102 (e) as being anticipated by Wu et al. (U.S. Pat. No. 6,323,097 hereinafter Wu) However, Applicant respectfully submits that these claims are patentable over Look and Wu for the reasons provided above.

**CONCLUSION**

Applicant respectfully requests reconsideration of the claims in view of the amendments and the remarks made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-3444** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-3444** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

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